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Attorneys for Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

ELIZABETH HUNTER, *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF EDUCATION, *et al.*,

Defendants.

Civil Action No. 6:21-cv-00474-AA

**DEFENDANTS' UNOPPOSED
MOTION TO EXTEND TIME
TO FILE REPLY IN SUPPORT OF
MOTION TO DISMISS**

Civ. L.R. 7-1 CONFERRAL

In compliance with Civil Local Rule 7-1(a), counsel for the parties discussed the present motion via telephone conference on August 30, 2021. Counsel for Plaintiffs represented that Plaintiffs do not oppose the relief sought in this motion.

MOTION

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A) and Civil Local Rule 16-3, Defendants respectfully request that the Court extend Defendants' deadline to file their reply in support of their Motion To Dismiss (Doc. 56) by one week, from September 10, 2021, to September 17, 2021. In support thereof, Defendants state as follows.

MEMORANDUM

This putative class action presents constitutional and statutory challenges to Title IX's religious exemption, 20 U.S.C. § 1681(a)(3), and a statutory challenge to certain of its regulations. Plaintiffs filed their opposition to Defendants' Motion To Dismiss on August 27, 2021, and Defendants' reply brief is thus due on September 10, 2021. *See* Civil Local Rule 7-1(e)(2).

In addition to attending to the press of other litigation,¹ undersigned counsel will be observing the Rosh Hashana holiday from the evening of Labor Day, September 6, through the evening of September 8. Undersigned counsel's co-counsel continues to attend to a serious family medical situation. *See generally* Doc. 38 ¶ 3 & Doc. 42 ¶ 3. Defendants respectfully submit that a one-week extension is necessary so that Defendants have sufficient time to prepare their reply brief, given the significant issues involved in the motion.

¹ Undersigned counsel is sole or lead counsel in three other active matters: *Al Shimari v. CACI Premier Technology, Inc.*, No. 1:08-cv-827 (E.D. Va.), which concerns allegations of torture at Abu Ghraib prison; *Alabama v. U.S. Department of Commerce*, No. 3:21-cv-211 (M.D. Ala.), which concerns challenges to the 2020 Decennial Census; and *Animal Legal Defense Fund v. Vilsack*, No. 1:21-cv-1539 (D.D.C.), which concerns challenges to certain poultry-product-label approvals.

Defendants do not expect their proposed one-week extension to impact the status conference scheduled for October 20, 2021, the evidentiary hearing scheduled for November 4-5, 2021, or any other deadline, setting, or schedule in this action.

CONCLUSION

For good cause shown, Defendants respectfully request that the Court extend Defendants' deadline to file their reply in support of their Motion To Dismiss to September 17, 2021.

Dated: September 2, 2021

Respectfully submitted,

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